

Written Submission New Application Trades Hotel.

General Background

1. The documentation is submitted in advance of the hearing scheduled for 10 am on the 18th of January 2024 to set out why the Committee should consider the application favourably.
2. The application has attracted 3 objections from interested parties, the contents of which will be addressed in this submission.
3. The application is made by Neil Cropper, who has been involved in the operation of the Trades Hotel for over 15 years.
4. The application was submitted with careful thought and consideration, with planning and preparation beginning in the early part of 2023. It was also important to seek the views of the Responsible Authorities. Extensive dialogue and written exchanges have taken place between the applicant and the Responsible Authorities which have resulted in an agreed position about timings, conditions, and activities.
5. As a result of this diligent and considerate approach no objections have been submitted by the relevant Responsible Authorities.
6. The current position is that the Trades Hotel (Lord Street) has a licence for the sale of alcohol and regulated entertainment until 2 am and the Trades Hotel (Bank Street) formally known as the Moore's Hotel has a licence for 24 hours for residents and bona fide guests or friends of those residents, condition 5 of that licence is of particular importance which permits the following.
7. *intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons residing there or their private friends, bona fide entertained by them at their own expense, and for consumption by such a person or his private friend so entertained by him either on the premises or with a meal supplied at but to be consumed off the premises.*
8. The discussions with the Authorities centred around the preferred position for 2 hotels side by side operating as one business and the importance of providing clarity and transparency.
9. This application has satisfied the Authorities that transparency and clarity has been achieved and alongside the extensive track record built up by utilising Temporary Event Notices over 2003, a reduction in business responsibilities elsewhere and a comprehensive package of conditions the Licensing Authorities experts have arrived at the position of determining that this application will not have a significant impact on any of the Licensing Objectives, this is of significant importance and should be an influential factor in the decision making.

Policy and Guidance Considerations

10. The application accords well with numerous paragraphs of the Section 182 Guidance as well as the Statement of Licensing Policy. Paragraphs 8.41-8.44 from the Guidance are shown below with comments (in blue text) that demonstrate due consideration to best practice has been made.

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8.41 *In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.*

The applicant was aware of the expectations of Responsible Authorities by conducting pre-application consultation.

8.42 *Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand: 56 | Revised Guidance issued under section 182 of the Licensing Act 2003*

- *the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;*
- *any risk posed to the local area by the applicants' proposed licensable activities; and*
- *any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.*

8.43 *Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.*

8.44 *It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application.*

The applicant is very familiar with the local issues and has the competence and understanding to overcome difficulties from his experience of operating the premises for many years.

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11. The Policy areas highlighted largely replicate the requirements of the guidance but provide a useful tick list which again demonstrates the careful and considerate approach to the application.

4.1.2 The operating schedule must include all of the information necessary to enable the licensing authority, responsible authorities and members of the public to assess whether the steps outlined for the promotion of the licensing objectives are sufficient. This will mean that applicants will need to complete their own risk assessments on their businesses. Where the operating schedule does not provide enough detail, there is an increased likelihood that representations will be made.

The applicant has produced a detailed and comprehensive operating schedule that has satisfied the Responsible Authorities.

4.1.3 Applicants are not required to seek the views of responsible authorities before submitting their applications however they may find them a useful source of expert advice about the local issues that should be taken into consideration when making an application. Discussions with the responsible authorities, and where relevant local residents, before applications are submitted may minimise disputes during the application process.

4.1.4 The authority will expect that the completed operating schedule is specific to the premises subject to the application and the licensable activities to be carried out rather than containing general or standard terms. Key Message: Applicants are expected to demonstrate knowledge of the local area in which they propose to operate and an understanding of the problems and issues in that area

The applicant has excellent local knowledge of the area and an understanding of the demographic and issues that he needs to be mindful of.

. 4.1.5 For an applicant to assess what steps are appropriate for the promotion of the licensing objectives, they must first understand the area in which they intend to operate. By way of example the controls required in an area suffering from a high level of deprivation, alcohol dependency and street drinking may be completely different to those required in other areas. Applicants are expected to make their own enquiries and demonstrate how they have considered the following in the operating schedule:

- *The layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children and young persons may congregate;*
- *Any risk posed to the local area by the proposed licensable activities; and*
- *Any local initiatives (for example local crime reduction initiatives or voluntary schemes which may help mitigate potential risks)*

4.4.1 There are no standard permitted hours for the sale of alcohol prescribed in the Act instead the Council has the power to make decisions on hours based on local knowledge. In some circumstances, staggered licensing hours will allow for a more gradual dispersal of customers reducing potential disorder and disturbance at for example late night food outlets and taxi ranks. There is no general presumption in favour of lengthening licensing hours and the four licensing objectives will be the paramount consideration at all times

The applicant applied for 9 Temporary Event Notices in 2023, with a terminal hour of 4 am

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No difficulties were experienced, and the trading experience was much the same as it has been during his current hours of operation. The premises were used for 26 days for Temporary Events which is the maximum entitlement in any one calendar year. It should also be of note that almost all the events took place over what would normally be considered higher-risk dates such as Bank Holidays and weekends.

The applicant has a significant evidence base that operating till 4 am on TENs in 2023 revealed no concern for the Authorities. The current application terminates at 3 am, which is only 1 hour later than his current licence at the Trades Hotel. The table below is taken from the Public Licensing Register which shows that all TENs were validated and accepted without objection.

TE2833	Temporary Event Notice - WITH Alcohol	23/12/2023	27/12/2023		
	Application Type	Application Number	From	To	Status
	Receipt of Temporary Event Notice	094183	23/12/2023	27/12/2023	Completed
TE2804	Temporary Event Notice - WITH Alcohol	25/11/2023	27/11/2023		
	Application Type	Application Number	From	To	Status
	Receipt of Temporary Event Notice	093656	25/11/2023	27/11/2023	Completed
TE2771	Temporary Event Notice - WITH Alcohol	26/08/2023	28/08/2023		
	Application Type	Application Number	From	To	Status
	Receipt of Temporary Event Notice	093018	26/08/2023	28/08/2023	Completed
TE2747	Temporary Event Notice - WITH Alcohol	10/06/2023	12/06/2023		
	Application Type	Application Number	From	To	Status
	Receipt of Temporary Event Notice	092241	10/06/2023	12/06/2023	Completed
TE2740	Temporary Event Notice - WITH Alcohol	27/05/2023	29/05/2023		
	Application Type	Application Number	From	To	Status
	Receipt of Temporary Event Notice	091904	27/05/2023	29/05/2023	Completed
TE2739	Temporary Event Notice - WITH Alcohol	29/04/2023	01/05/2023		
	Application Type	Application Number	From	To	Status
	Receipt of Temporary Event Notice	091902	29/04/2023	01/05/2023	Completed
TE2724	Temporary Event Notice - WITH Alcohol	08/04/2023	10/04/2023		
	Application Type	Application Number	From	To	Status
	Receipt of Temporary Event Notice	091645	08/04/2023	10/04/2023	Completed
TE/L0781	Late Temporary Event Notice - WITH Alcohol	25/02/2023	26/02/2023		
	Application Type	Application Number	From	To	Status
	Receipt of Temporary Event Notice	091402	25/02/2023	26/02/2023	Completed
TE/L0776	Late Temporary Event Notice - WITH Alcohol	01/01/2023	01/01/2023		
	Application Type	Application Number	From	To	Status
	Receipt of Temporary Event Notice	091046	01/01/2023	01/01/2023	Completed

The 3 Public Objections are set out below with some brief responses which will be amplified at the hearing.

Public Objection 1

Hi

I live opposite moores hotel on banks st Blackpool, I have noticed trades hotel have taken this over and knocked a hole from lord st trades hotel to bank st moores hotel, so people can walk between the buildings, - At the time of submission (application submission 22nd November 2023) no doorway between the building was planned but as the build progressed and services such as the fire alarms between the building were connected it became necessary to install an access door for staff only. The door will be controlled by a lockable keypad and be sited behind the bar, no public access will be possible. Sgt Cox and Lee Petrak visited the premises on the 8th of December 2023 to look at the door specifically. They were happy with the arrangements. A revised plan is attached to show the location of all entrance/exit points into the premises along with photographs of the door in situ.

And now they want to open to sell alcohol, this would be so noisy for me , as I look straight onto the property , loud music

A late licence!! I strongly object as children live next door in the new houses " my Blackpool homes have built " The former Moores site is to be arranged as an eating establishment and is conditioned accordingly. In addition to managerial and design controls this half of the premises will also have a door supervisor which was agreed in the mediation document with the Police. The Police, who are the Licensing Authorities' experts on Crime and Disorder Objectives believe that this will achieve the best outcome for all concerned, they have the residents and wider public interests at the forefront of their minds when considering new applications.

*A disabled child in one house and lots of children in another ,
We will have taxis cars*

People shouting this can not happen in our residential street !!

Lord st is mainly commercial which is fine, but this section of banks st is residential, Use of the outdoor area has been curtailed at 10 pm, and both premises currently benefit from the exemption under Section 172 (f) of the Licensing Act 2003. If the licence is granted, they will be deprived of this exemption. The issue of people arriving in taxis is beyond the control of the applicant, but the positioning of a doorman will assist in the control of any customers arriving in taxis. The common practice is that customers predominately arrive on foot as the applicant has a local custom base and people staying at the hotel usually walk from the nearby train station. This concern appears to be based on speculation and there has been no evidence produced to support this concern. Jeff next door has older people at his b&b this wouldn't be good for them as no one would stay there with the noise,

*Public safety will be compromised my car is parked outside I'd be so scared,
Please don't let this go ahead ..*

*moores hotel should be kept at a private licence , just for the residents- or until
11pm*

Or it will cause so many problems..

*Thanks
Angela meldrum*

Public Objection 2

Dear Blackpool Planning / licensing Authority

I am writing to express my serious concerns and objection to the recent proposal by Trades Hotel to sell alcohol at the newly connected onto Trades hotel by a hole in a corridor Moore's Hotel on Banks Street, Blackpool.

As a resident living directly opposite the Moore's Hotel, I have grave concerns regarding the potential noise anti social behaviours that were associated with Kaos and disturbances that the issuance of a late-night alcohol license would bring to our predominantly residential street. The loud music, increased traffic from taxis and cars, and the likelihood of shouting and other disturbances is distressing, especially considering the presence of children and disabled individuals in the neighbourhood. These points largely replicate the matters raised in the 1st Objection, the Trades Hotel has operated for decades in this location and the addition of the former Moores is an eating and dining establishment catering to a similar custom base to the Trades Hotel. This is not a premises that attract rowdy or disorderly customers, it is not a night club, nor could it ever be defined as a vertical drinking establishment.

Furthermore, several new houses developed by "My Blackpool Homes" are situated next door, including homes with young children and a disabled child. The tranquility of their living environment should be a priority. In addition, the adjacent bed and breakfast, managed by my neighbour Jeff, caters to an older clientele who value peace and quiet. The noise and activity associated with a late-night licensed premises would undoubtedly deter guests, impacting his livelihood.

Public safety is another major concern. With increased foot traffic and potential for rowdy behavior, the safety of residents, their properties, and vehicles parked on the street could be at risk.

While I understand that Lord Street is more commercially oriented, it is important to recognize that Banks Street, particularly the section in question, is residential in nature. The site that will be licensed is already licensed as a hotel and has been in operation for many decades, close by there are very similar establishments one of which being the Mardi Gras Hotel which was recently granted a 3 am licence for non-residents but this venue did not receive Public Objection. The conditions at the Trades Hotel are more robust than its neighbours and the trading hours are more modest.

The introduction of a late-night alcohol-serving establishment would significantly alter the character and atmosphere of our community. There are many licensed establishments already in operation in the

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vicinity. 20 premises are listed on the Public Register on Banks Street and 32 on Lord Street.

I urge you to consider the impact this decision would have on the residents of Banks Street and to prioritize the well-being and peace of our community. Please do not let this proposal go ahead.

Thank you for your attention to this matter. I look forward to your response and hope for a favorable resolution.

Sincerely,

Chloe bergin

Public Objection 3

The prevention of crime and disorder.

Public safety.

There have been 6 recent past crimes at Trades Hotel.

<https://www.lancashiretelegraph.co.uk/news/23828609.police-appeal-woman-suffered-serious-head-injury-blackpool/>

<https://www.blackpoolgazette.co.uk/news/crime/man-continued-to-use-names-of-blackpools-trades-hotel-and-kaos-bar-despite-bankruptcy-ruling-3717171>

<https://www.lancs.live/news/lancashire-news/blackpool-hotel-owner-hauled-before-25443164>

<https://www.facebook.com/blackpool/Police/photos/a.382639948432987/2576716169025343/?type=3>

<https://democracy.blackpool.gov.uk/documents/s76213/Appendix%20c%20-%20Police%20representation.pdf>

<https://www.lancs.live/news/lancashire-news/claims-sex-gatherings-blackpool-hotel-18602717>

Since the 2am stop for residents and guests consuming alcohol has been in force this has stopped the problems, if allowed to go back to 4am, this will start all over again. The application on the table is a terminal hour for alcohol sales to cease at 3 am at the former Trades Hotel and 2 am at the former Moores. The extensive number of days where the premises have operated until 4 am in 2023 demonstrate that no concerns have been revealed. If such problems were evident surely the objector would be able to point to one of the many dates where the premises have already operated until 4 am and provide some examples of the concerns they are fearful of resuming.

Public safety and crime from people both staying and leaving Trades after 4am will once again rise as people will go to Trades and 42 Bank Street after everywhere else closes at 2am already pre-fuelled with alcohol.

- *The prevention of public nuisance.*

For Legends Hotel having the bar close at 4am, the taxis, people leaving, screaming shouting and fighting like they did before will return, and the quiet residential area which is assured for our guests will be ruined, also if Trades Hotel and 42 Banks Street gets a 4am licence then this is an opening for Mardi Gras, Rendevous and Blackpool North to apply for similar. Mardi Gars Hotel has recently been granted a licence till 3 am, this is next door to the objector but no

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concerns were raised by them against the Mardi Gras . The Mardi Gras has obtained an extra 2 and a half hours on its previous terminal hour. The Trades is seeking 1 hour extra on its existing permission and has proved in 2003 it could trade even later than this without too much concern. The applicant has mediated with the Police agreeing on a 3 am terminal hour for the sale of alcohol to continue the positive relationship that has resumed following the regulatory intervention in the latter part of 2022 already referred to in this objectors submission.

Legends Hotel, 45 Lord Street

Conclusion

Passing reference within the submission has been made to the absence of any Responsible Authority in these proceedings. It is of considerable importance to highlight this as they are the Licensing Authorities 'experts in their respective fields.

The case of Daniel Thwaites plc v Wirral Borough Magistrates' Court [2008] EWHC 838 (Admin), CO/5533/2006 deals with many points. The full decision is enclosed.

Commentators will pull out the relevant parts of the case to assist their own arguments one of which is there must be tangible or empirical evidence to support any representations, mere speculation will not be enough.

The GOV.UK web site provides a short narrative about the case which is as follows;

This case, referred to as 'the Thwaites case', is important because it emphasises the important role that Responsible Authorities have in providing information to decision makers to contextualise the issue before them.

*This case is sometimes misconstrued as requiring decisions to be based on 'real evidence', and that conditions cannot be imposed until problems have actually occurred. This is wrong. The purpose of the Act is to prevent problems from happening. Decisions can and should be based on well-informed common sense. The case recognises that Responsible Authorities are experts in their fields, and that weight should be attached to their representations. It is most relevant when opposing grant applications.
The Honourable Mrs Justice Black said:*

[D]rawing on local knowledge, at least the local knowledge of local licensing authorities, is an important feature of the Act's approach. There can be little doubt that local magistrates are also entitled to take into account their own knowledge but, in my judgment, they must measure their own views against the evidence presented to them. In some cases, the evidence presented will require them to adjust their own impression. This is particularly likely to be so where it is given by a Responsible Authority such as the police.

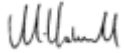
The Government summary of the case focuses on the issue of Responsible Authorities being experts in their respective fields and the absence of those Authorities, in this case, supports the following comments.

The proposal submitted in both pre-application communication and the application itself

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has given the Authorities the necessary confidence that the Licence Objectives will not be harmed

There is a belief that the applicant will deliver on any commitments made or will adjust his style to rectify any concerns raised.



Mark Marshall (FCILEX)

Date: 10th January 2034